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3 IN RE THE PUBLIC HEARING FOR )  
4 THE CALFED BAY-DELTA PROGRAM )  
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9 REPORTER'S TRANSCRIPT OF PROCEEDINGS

10 Tuesday, May 19, 1998


11 The Opera House  
12 560 Main Street  
13 Vacaville, California 95688  
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16 Reported by:

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Tuesday, May 19, 1998

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A P P E A R A N C E S

BEFORE: JOSEPH BODOVITZ, Hearing Officer

Held at: The Opera House

560 Main Street

Vacaville, California 95688

ALSO PRESENT AT HEAD TABLE:

KATHERINE KELLY

California Department of Water Resources

RICK BREITENBACH

CALFED Bay-Delta Program

JOHN LOWRIE

Natural Resource Conservation Service

1 Tuesday, May 19, 1998 6:55 p.m.  
2 PROCEEDINGS  
3 MR. BREITENBACH: Assemblywoman Helen  
4 Thomson.  
5 ASSEMBLYWOMAN THOMSON: Thank you all  
6 very much for coming. I think this is a very  
7 important part of this process, being out here in  
8 the community, and being sure to solicit your  
9 opinions on this very important issue.  
10 I want to introduce a few people to you,  
11 and then ask Senator Johannessen to present what he  
12 has to say here. Barbara Lewis is here from the  
13 Board of Supervisors. Barbara. Ernest Kimme is  
14 here from the Vacaville City Council. And Marci  
15 Coglianese from the Rio Vista City Council. Where  
16 is Marci? There she is.  
17 I would like to introduce Senator  
18 Johannessen to you. For those of you who might not  
19 know -- I'm sure you all do -- Senator Johannessen  
20 is the chair of the Senate Select Committee on the  
21 CALFED process. And I'd like him to say a few  
22 words.  
23 (Applause.)  
24 SENATOR JOHANNESSEN: Thank you, Helen.  
25 One of the things that we are dealing with in CALFED

1 we go through the process. It's very important, the  
2 work that we'll be doing, the curing of the problem,  
3 the restoration of the Delta, the -- providing 22  
4 million people clean water to drink and, you know,  
5 you have nine million acres of farmland at stake,  
6 four and a half million up in this area, or in the  
7 area which will probably be mostly affected by  
8 CALFED.  
9 But I have a feeling that the -- that they  
10 are sort of a front for the Water Resource  
11 Department, National Marine Fisheries Services,  
12 State Water Resource Control Board, Fish & Wildlife  
13 Service, and Department of Interior, and all the  
14 other agencies. And I sometimes have a feeling they  
15 are conspiring to get us. And I don't think that's  
16 too far off, either.  
17 Quite frankly, the whole North State is  
18 being attacked by the various resource agencies, the  
19 whole North State is. And if we don't believe that,  
20 start paying attention to what is happening, and you  
21 can see the system as it moves along. And you can  
22 understand why I'm concerned.  
23 One of the things that caused this problem,  
24 obviously, like I just said, you get one  
25 information, perhaps, in the booklet, or one of

1 is the difficulty, sometimes, to understand exactly  
2 what is CALFED, what is the powers, what is the  
3 authorities that CALFED may have.  
4 And of course the answer is, they don't  
5 really have any authority. I don't -- I'm not so  
6 sure they are even a good clearinghouse. Because  
7 they consist of something like, I've heard, from 14  
8 to 18 different bureaucracies that feeds into  
9 CALFED.  
10 Each one of them have their own egos, their  
11 own turf issues, and their own regulations that they  
12 go by. Which means that if CALFED tells you a  
13 certain thing, may not necessarily be what it is.  
14 Because the other part of the bureaucracies are  
15 doing their own thing, and may or may not have told  
16 CALFED.  
17 So I have to assume that a lot of the  
18 things that -- the confusions that's happening is  
19 because each one of these various bureaucrats don't  
20 talk to each other much, for turf issues, or  
21 whatever reasons. And I don't think that's too  
22 far-fetched. That's the way government works.  
23 Now, the -- I've been trying to put this in  
24 a way, because I don't want to discourage the  
25 process, because the process is very important, that

1 these huge documents that's -- I don't think anyone  
2 themself have gone through all of it, to be honest  
3 with you. I hate to admit I haven't read six or  
4 7,000 pages of the various documents, not only the  
5 CALFED documents, but the rest of the Water  
6 Resources, and so forth.  
7 CALFED basically states they have no  
8 authority to take land or water. And they're right.  
9 They will tell you that. "We don't have that  
10 authority. We're not interested in it. We don't  
11 have any authority." But what they don't say is  
12 that the Water Resource Control Board does have the  
13 authority to do that. And they are part of CALFED.  
14 Remember the 4,000 acre feet of water that  
15 was to be taken from the groundwater? Well, once we  
16 got into the action on this, it went down to 2,000,  
17 and now, supposedly -- 200,000. Now, supposedly,  
18 the -- that is off the table. We're not going to  
19 touch the groundwater issue. Really?  
20 Let's look at it. They say the sale of  
21 groundwater still has to be organized. CALFED does  
22 not want groundwater pumped and sent downstream.  
23 Then why do you want to recognize it?  
24 Then comes the "but" again. But people  
25 will be asked to pump groundwater for their use, and

1 forgo claims to surface water, for example, in the  
2 Sacramento River. Now, does that sound like they  
3 are forgoing the groundwater? I don't think so.

4 Then they also say, "We will drill wells on  
5 your property, and pay you to pump water to  
6 irrigate, leaving the water in the stream for fish."  
7 Does that sound like they want to take groundwater?  
8 Does that sound like they take it out of one pocket,  
9 and put it in the next one? I think so.

10 They also state that groundwater can be  
11 sold, and pumped into a creek for downstream use.  
12 Isn't that the problem we've been fighting, worrying  
13 about?

14 There can be more direct impacts. For  
15 example, if you do this, you are going to have to  
16 understand the impacts that some of these have.

17 In 1994, the wells of some Butte County  
18 farms started failing. It turned out their  
19 neighbors were pumping to irrigate, drawing down the  
20 water table, and selling the river water they  
21 typically would have used.

22 What about the third-party impact? What  
23 does that do to your neighbor? How do you know how  
24 much water is down there?

25 Yolo County, for example, has subsidence.

9

1 Now it means a potential of flooding as a result of  
2 that. Groundwater should be off the table. In an  
3 emergency, maybe, but this is not an emergency.

4 Now, CALFED started with something like 18  
5 different alternatives. And so far, they have  
6 settled upon three. The first alternative -- the  
7 first two alternatives call for fish screens at --  
8 probably the maximum is somewhere around 15,000  
9 cubic feet per second flow of water.

10 Now, I understand, for those of you who may  
11 have seen the river in Redding below exactly where I  
12 happen to live, 15,000 cubic feet a second is about  
13 three times the amount of water that the Sacramento  
14 River usually puts out in the summertime. That's a  
15 lot of water.

16 Now, if they intend to take 15,000 cubic  
17 feet of water, and they intend to build fish  
18 screens, that's what one of my -- my chief of staff  
19 called that, the only thing they're going to do,  
20 make a fish grinder out of it. Because the best  
21 fish screen is actually the Glenn Colusa, which can  
22 only protect fish at 3,000 cubic feet a second. And  
23 at this point, there is no such fish screen  
24 available to do that kind of stuff.

25 The third alternative which will win, quite

10

1 frankly, by default, has a smaller version of the  
2 peripheral canal going around the Bay Delta, with no  
3 means of helping the Bay Delta. For those who  
4 remember -- and I've lived up here 37, 38 years --  
5 for those who remember the fight that we had over  
6 the peripheral canal, that peripheral canal is a lot  
7 better than this one. Because that peripheral canal  
8 at least had gates that -- you can open to put it  
9 into the Delta, if the Delta needed it. This one  
10 does not.

11 So the question has to be asked, if this is  
12 a forgone conclusion, which I think it is -- this is  
13 what they're working for -- then the solution is  
14 becoming the problem: In essence, how do you solve  
15 the problem in the estuaries in the Delta?

16 So the question has to be asked, where is  
17 the water coming from? Where do we have this study  
18 of the third-party impact? What about the third  
19 party? What about the farmers, and the ranchers,  
20 and the tractor dealers, and all the rest of the  
21 stuff, the haberdashery, or whatever you want to  
22 call it? What about the cities that want to grow?  
23 What about their interests in getting additional  
24 water for the future? What about that?

25 What is the economic impact to the North

11

1 State? There's none of that here. You won't find  
2 that anywhere. What about the potential million  
3 acre farmland that may be fallowed to serve the need  
4 of Southern California?

5 Somebody says, "Well, where do you come up  
6 with this million acres?" Well, we identified  
7 something like one-million-two, I think. But  
8 conservatively, I think someone before my committee  
9 the other day stated that -- identified 900,000  
10 acres.

11 Now, for the economic impacts of that, by  
12 the way, we figured out that somewhere around \$1700  
13 per acre loss to the community. So it's a million  
14 acres times \$1700. You can see what economic loss  
15 that has. And that falls on those people who can  
16 least afford it, i.e., those in the rural community,  
17 farmers and so forth.

18 Those are in areas which, generally  
19 speaking, are not the Silicon Valley. They're not  
20 LA. These are the people who have minimum work.  
21 You may have 20, 30 percent unemployment. They're  
22 going to further drive them down.

23 And that's sort of an interesting kind of a  
24 sideline here. In one of the -- in the committee,  
25 in my committee, I asked the -- Mr. Timothy Quinn of

12

1 the Metropolitan Water District, one of my favorite  
2 people down there, stated that they would only need  
3 150,000 acre feet more of water for the next 25  
4 years.

5 Bear in mind, half of the water that they  
6 need is pumped out of the Delta. 150,000 acre feet  
7 of water is all the Metropolitan Water's going to  
8 need for their growth in the next 25 years? I don't  
9 think so.

10 The question is, I want, you know, the  
11 CALFED based on sound science, and not political  
12 science. And so far, the only thing -- storage, for  
13 example, which is what we need. They speak of  
14 storage, but that was not part of the mix.

15 It appears nothing but political rhetoric  
16 at this particular point. And I'm afraid that what  
17 is happening is manipulating the process to get the  
18 predetermined outcome.

19 I would be very surprised if that  
20 predetermined outcome isn't going to be there. I  
21 would be very surprised. In fact, I made some bet  
22 -- offer to bet with a few of the CALFED, but they  
23 haven't taken me up on it yet. And I'm not a  
24 betting man, mind you.

25 One of the other problems that we have, at

13

1 every CALFED meeting I've attended, people have  
2 complained that the input concerns and fears is  
3 being ignored. And this is an additional meeting  
4 here tonight where they will tell you that they  
5 cannot respond to your questions. Legally, they can  
6 do that, but they will choose not to.

7 And I don't want ecosystem restoration to  
8 mean economic destruction for the North State. We  
9 have that potential. And quite frankly, I want some  
10 concrete and steel, and a funding for reservoirs  
11 before any additional water ships south. And let  
12 them pay for it.

13 Now, one of the things that -- and I'm  
14 being -- I would love to have you ask questions on  
15 some of these things. But the one thing I want you  
16 to bear in mind, just ask a simple question.  
17 Remember the ads that were run by McDonald's, "Show  
18 me the beef." In our case, "Show me the water."  
19 Where does the water come from?

20 Right now, they are a million acre feet of  
21 water short of what they need. We estimate they're  
22 going to be somewhere between, by their own figures,  
23 seven to nine million acre feet short in the next  
24 20, 25 years.

25 Folks, we got to get above the trees and

14

1 look behind them. Look long term, not just for  
2 what's politically good now. We may take a  
3 political beating now to do it, but there's time to  
4 do it. Because my children, my grandchildren, and  
5 all the rest of them, I want them to live up in this  
6 valley, and I want them to have clean, good water.  
7 And we need to protect the agricultural community.  
8 It has to be done.

9 So when you're talking about "Show me the  
10 water," whatever water you take, where is it going  
11 to come from? We have already discussed that it's  
12 not going to be able to come from the groundwater I  
13 have seen the reports on that. It is not going to  
14 be able to do that.

15 So where does the water come from? It  
16 doesn't take a genius to figure out that the easiest  
17 way to do it is to get it from the farmer. And if  
18 you do that, then you will destroy the very thing,  
19 the very thing that makes this part of the country  
20 so beautiful.

21 So I just want you to be aware of what's  
22 coming down, and understand why I feel so passionate  
23 about it that I do. This is the future for all of  
24 us. And I hope that through this process --  
25 although I can tell you I'm upset with the Governor

15

1 for not giving me more than an additional 30 days to  
2 come up with these reports -- as I said, you know,  
3 it is bad enough to be thrown a bone. But if there  
4 is no meat on the bone, it doesn't do much good.

5 But we will go within the time line. And I  
6 suspect by the end of this year, we have slowed the  
7 process down slow enough that we will be able to  
8 stop a final decision.

9 We will be getting, I would assume, a  
10 preferred alternative at the end of this year,  
11 probably sometime in October, November. My report  
12 at the end -- probably should be out by the end of  
13 August. And then we will have the alternative,  
14 preferred alternative, which may not be 1, 2 or 3.  
15 It could be 3 and a half, 4, 4 and a half, or 5.  
16 Who knows. It may be a mixture of a lot of things  
17 by the time we get done.

18 Now we will get the chance to debate that  
19 thoroughly next year to make sure that the North  
20 State interest is protected, and that we are not  
21 being had. So keep the powder dry, stay at the  
22 table, work the process, but make doggone sure that  
23 we know who the players are. Because I guarantee  
24 you, the biggest players are not our friends.

25 Thank you.

16

(Applause)

ASSEMBLYWOMAN THOMSON: Thank you very much, Senator Johannessen. I want to introduce the people who are here from the CALFED Policy Group, and from the CALFED Agency.

Roger -- let's see, Gary Stern is here, and Katherine Kelly. Gary is from the National Marine Fisheries Services, and Katherine is from the Department of Water Resources. Would they stand so that you can see them? There they are. Okay.

And Rick Breitenbach, whom you will be hearing from, because he will be conducting the meeting. Dick Daniel, John Lowrie, and Stein Buer are here from the CALFED Agency.

I too have a few comments that I would like to make about this process. First, I do want to thank the CALFED Agencies for being willing to add an additional meeting and hearing to their schedule at the request -- at my request, to include a more centralized area in Solano County for them to come and hear your comments.

I also want to extend appreciation to all those who participated in extending the hearing time by another 30 days. And while the senator said that isn't much, it is more than it was.

17

I think it's very important for all of us in Northern California to remain engaged in this important policy discussion. There is much for us to lose if we don't remain participatory. There is some for us to gain, as well. And I think that we need to focus on our gains, as well as what we might lose.

Tonight I do appreciate that you are willing to be here to listen to our concerns. The concerns that I have in reviewing so far the draft reports include the scope and the cost of the proposed facilities.

I'm very concerned, and as a former supervisor from Yolo County who had a great deal to do with the drought water transfers, we have -- I have a very particular concern with the water transfers and the need for a full analysis of their impacts on local communities and on third-party impact; groundwater impacts, not only for subsidence, but for water quality; the loss of prime agricultural land, and the need for full analysis of the impact of that loss on local communities.

I'm concerned about levee maintenance, including the need to include the levees of the Suisun Marsh in the CALFED process. You know, if

18

you lose those levees in the marsh, you'll be able to not achieve your water quality goals, and I think that is important to add to the deliberations here.

The lack of assurances and specificity with regard to the area of origin are very important to those of us who live in Northern California. In addition, I'd like to see more details on the possible extension of the Tehama-Colusa Canal into Yolo and Solano Counties. That's a very old plan.

Many of you who have been involved in the water issues know of that plan from many years ago. I think that still bears some further analysis, and I think that it's very important that we look in a more detailed way at off-stream storage for Northern California.

I agree with the principles established by CALFED, but we need to have those reflected in the final plan. They are to reduce conflict in the system, to be equitable, to be affordable, to be durable, to be implementable, and to have no significant redirected negative effect elsewhere.

I know that the final draft will reflect the comments that are brought before this group tonight, as they will the comments that have been brought before the group throughout the hearing

19

process. And it is my hope that the final draft will be one that we can continue to comment on. And I appreciate all of the hard work that the agencies have gone through in this very complex and very difficult area.

When I was first a supervisor in Yolo County, I learned at one of the very early meetings that -- an old saying of Mark Twain's, and that's that "Scotch is to drink, and water is to fight over."

So with that, I'm going to ask staff to come forward, and I invite your participation. I would remind us that we are a civilized society, and we need to consider that when we're making our comments.

Okay. Come forward.

MR. BODOVITZ: Thank you very much, Senator, and Ms. Brown (sic). We will now begin the formal part of the hearing. But I know a number of you have some questions that you'd like to discuss.

In the course of opening the hearing, we'll probably cover some of those. And then we'll stay after all the statements have been made, and members of the CALFED Bay-Delta staff will be glad to try to answer questions, and discuss these issues with you.

20



1 We do, however, have a number of people who've  
2 signed up to speak, and let's hear from them next.

3 My name is Joe Bodovitz, and I'll be  
4 presiding at tonight's hearing. In a moment, I'll  
5 explain quickly the ground rules for tonight. But  
6 the key one is that if you wish to speak, please  
7 sign one of these yellow cards on the table out in  
8 back. We take speakers in the order in which the  
9 yellow cards are signed. So again, if you wish to  
10 speak tonight, and haven't already done so, please  
11 fill out one of the yellow cards.

12 Now, I want to do two more things very  
13 quickly before we get to your comments, and that is  
14 to introduce more fully, perhaps, some of the folks  
15 who are here from the CALFED Bay-Delta management  
16 team. These are the people who will be making the  
17 decisions on what the CALFED Bay-Delta Project  
18 recommends. Not all of them are at every hearing,  
19 but some are at every hearing. And I know when you  
20 go to a hearing, you like to be sure that your words  
21 are being heard by the people who are going to make  
22 the decision. And I can assure you that that is the  
23 case.

24 Roger Patterson of the Bureau of  
25 Reclamation I think is here. Maybe not. Katherine

21

1 Kelly of the Department of Water Resources on my  
2 left, John Lowrie of the Natural Resource  
3 Conservation Service. And I think Gary Stern waived  
4 his hand before from the National Marine Fisheries  
5 Service. Gary's gone. Okay.

6 There are a number of CALFED Bay-Delta  
7 staff people around. And during a break, if we need  
8 one, and afterwards, they will try to answer your  
9 questions as well.

10 But in the hope that at least some of the  
11 basic information may allay some of the concerns  
12 that some of you may have, I'm going to ask Rick  
13 Breitenbach of the CALFED Bay-Delta Program staff to  
14 quickly summarize why these environmental documents  
15 that are our subject tonight have been prepared,  
16 what they cover, what the key issues are, and what's  
17 going to happen next. Rick.

18 I should say before we begin, this is the  
19 14th of 17 hearings we've had all over the state,  
20 from one end to the other. And I would say that at  
21 none of the hearings thus far have I been able to  
22 look at a panorama with as much water as there is on  
23 the rear wall of this building, not to mention the  
24 attractive people in it.

25 MR. BREITENBACH: That's a tough act to

22

1 follow, Joe. I'm just going to take a few minutes  
2 to make a couple of observations about the program,  
3 so we can get to your presentations as quickly as  
4 possible.

5 I'd like to begin talking about the people  
6 that are involved in the program, so you do have a  
7 sense of who is involved, and who has undertaken  
8 this task.

9 As you can see, at the top of the slide,  
10 the Governor and the Secretary of the Interior sit  
11 up very prominently. And their presence on this  
12 chart is a clear indication, at least in my mind, of  
13 the importance that both the State and the Federal  
14 Government place in seeing the problems in the Delta  
15 resolved. They're not just there as figureheads.  
16 They actively participate in the work that we are  
17 doing.

18 Within this box, CALFED Bay-Delta Program,  
19 there are 15 state and federal agencies. The  
20 senator was correct, somewhere between 14 and 18.  
21 There are 15 state and federal agencies, five on the  
22 state side, ten on the federal side, all working on  
23 a daily basis with program staff to resolve the  
24 problems in the Delta.

25 We also participate quite actively with the

23

1 public. An example that I'll use here -- an example  
2 that I'll use here is the Bay-Delta Advisory  
3 Council. There's about 30 individuals in that  
4 council. They were appointed by the Governor and  
5 the Secretary of the Interior to review the work  
6 that the program does, to provide advice back to the  
7 program on the work we're doing, to carry that  
8 information back to the various constituents, and  
9 then come back in again and talk with us about what  
10 their constituents believe. As you can also see,  
11 they work directly with us in our various work  
12 groups to come to some answers about the problems in  
13 the Delta. All right.

14 I've said "problems in the Delta" a number  
15 of times. What are they? Or at least what are the  
16 ones that we're trying to deal with in the program,  
17 or are dealing with in the program?

18 There's four of them: Water supply. Over  
19 the years, the availability and reliability of water  
20 from the Delta has been on the decline for a variety  
21 of reasons. The habitat within the Delta, the  
22 ecosystem in the Delta seems to be on the downturn,  
23 as noticed by several species having been listed as  
24 endangered recently, or in the past several years,  
25 anyway.

24

1 The water quality in the Delta is also on  
2 the decline. And the levees, as many of you know,  
3 aren't the best levees in the world at the present  
4 time. You get a high, high outflow; some of those  
5 can open up very quickly. So we're working to  
6 resolve all four of these problems.

7 In the past, there have been efforts that  
8 have come in, and perhaps they've looked at fixing  
9 water supply problems, or maybe the levee problems.  
10 And they come up with really great plans, but those  
11 plans have usually wound up with a conflict with one  
12 of the other problem areas.

13 So what we tried to do, and what we believe  
14 we have done, is come up with a program or a set of  
15 alternatives that deal with all four of these  
16 problems, so that there isn't a conflict; we don't  
17 wind up with additional conflicts.

18 So what are the alternatives all about?  
19 Those of you that were here earlier, perhaps, heard  
20 me discuss this slide a little bit. Basically, we  
21 have eight different pieces to each alternative.  
22 This is really something to keep in mind, because a  
23 lot of people tend to focus on this conveyance part.  
24 Six of them are the same among alternatives, these  
25 six. Two of them differ between the alternatives.

25

1 The six that are the same, as you read  
2 through our literature, you see them called common  
3 programs, common to each alternative. The ones that  
4 vary we call, obviously, variable programs. Not a  
5 whole lot of science there.

6 A point that I wanted to make: The senator  
7 was correct. There's a lot of land use changes  
8 contemplated with any one of these programs, with  
9 the exception of this water use efficiency program.  
10 If we go in and try to rebuild some of the levees in  
11 the Delta, obviously, we are going to make them a  
12 little bigger. That's going to affect some of the  
13 land that's currently perhaps farmed in the Delta.

14 If we wanted to build storage sites in the  
15 Sacramento Valley, and the San Joaquin Valley,  
16 obviously, the land is currently being used for  
17 something right now. If you build a reservoir on  
18 top it, you're going to affect the land that's  
19 there. The document, the environmental document  
20 lays out these types of impacts.

21 The water use efficiency program. I don't  
22 know, several months ago we wrote a report, very  
23 back-of-the-envelope type of report, to get a sense  
24 of what might happen if you took land out of  
25 production for purposes of conserving water, some

26

1 sort of a land-retirement program to conserve water.  
2 That program never made it into the CALFED  
3 alternatives. It is not a part of the CALFED  
4 alternatives. So the number that the senator talked  
5 about, I think he said a million acres being taken  
6 out of production. About 600,000 of those acres are  
7 attributable to that study that we did that never  
8 made it into the program.

9 So right now, the program is looking, if --  
10 if it went and did everything that's contemplated,  
11 perhaps 300 to 400,000 acres of land could be taken  
12 out of production, or could be affected. Not  
13 necessarily all of those are obviously agricultural  
14 lands. I think I'll leave this slide, go on to the  
15 next.

16 Those of you that have been reading the  
17 document realize that it's made up of a variety of  
18 reports. A couple that I'd like to talk about the  
19 content, the main document, and the Phase II report.

20 The main document is the document in which  
21 we analyze the consequences of the alternatives. So  
22 in there we're talking about what's going to happen  
23 to groundwater, what's going to happen to water  
24 quality, what's going to happen to the fishery,  
25 those sort of things.

27

1 And I don't know that you've noticed or  
2 not, but what we prepared is what we call a  
3 programmatic environmental document. And that,  
4 translated roughly, means big-picture look.

5 You know, we're at a point in the planning  
6 process where we're looking at what's going to  
7 happen throughout California with all these actions,  
8 and what's going to happen for maybe five to 30  
9 years from now with all of these actions. We  
10 haven't specifically identified where any of these  
11 actions will take place. So what we've done is  
12 identify consequences at a general level, rather  
13 than a very specific level.

14 Those of you that have read environmental  
15 documents have probably read those site-specific  
16 documents, where you know exactly where the  
17 project's going to be built, and you know exactly  
18 what the consequences are going to be. Because we  
19 are looking, again, at a very broad area, we haven't  
20 gotten to that point in the process.

21 That very definitely is what we are going  
22 to be doing next. Once we identify a particular  
23 direction to go, a particular program to follow,  
24 before we actually take any steps to implement any  
25 of those pieces of that program, we will have to do

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1 very site-specific environmental documents so we  
2 know exactly what the consequences of those actions  
3 are going to be.

4 The other document I want to talk about is  
5 the Phase II Interim Report. And if you don't get a  
6 chance to read any documents, I'd ask you to try to  
7 read this one. This one gives you a good sense of  
8 what happens to alternatives beyond what's discussed  
9 in the main document, but more importantly, gives  
10 you a sense of the issues we believe we need to deal  
11 with to get to that preferred alternative. There  
12 are a lot of items that we still have to deal with,  
13 and most of them are laid out in that Phase II  
14 Interim Report.

15 Here are a couple of the issues, and I  
16 believe that most of them are what you all will be  
17 talking about tonight when you come up and present  
18 your thoughts on the program. The first one is, how  
19 well did we do when we wrote our consequence  
20 description? When we talked about here's what the  
21 effects of the alternatives are, how well did we do?  
22 I'm sure you're going to be telling us, "We think  
23 you did really well in this area. Perhaps you need  
24 to do more in this area."

25 What about the assumptions we came up with,

29

1 and the tools that we used? We'd sure like to hear  
2 from you. But these are also the types of things  
3 we're going to have to answer in order to come to a  
4 preferred alternative.

5 Willingness to pay: Who is going to pay  
6 for this program? You know, obviously there are two  
7 big ways to approach payment: public funds, your  
8 and my tax dollars, and user fees of some sort or  
9 another.

10 How should those be spread around the  
11 programs? You know, should the Ecosystem  
12 Restoration Program be all public funds? Should  
13 there be user fees associated with it? If there's  
14 storage, should it just be user fees, or should it  
15 be some public funds with that storage? We'd sure  
16 like to hear from you as to what you think about how  
17 the program should be paid for, different parts of  
18 the program should be paid for.

19 Assurances. This program is going to go on  
20 for some 30 years. Some people are going to see  
21 things put into place immediately, and they're going  
22 to be -- they're going to have confidence that their  
23 program is moving forward, while others are going to  
24 have to wait five, ten years before their program  
25 actually moves forward. How are we going to keep

30

1 all these parties together, at the table, working  
2 together, to move forward on this program?

3 When we were in Chico last week, a lot of  
4 people spoke about assurances, and the need to, for  
5 instance, protect or maintain water rights, current  
6 water rights. Others spoke about the need to obey  
7 or be responsive to local ordinances, when you go in  
8 and you try to do some groundwater extraction, or  
9 when you talk about water transfers.

10 So there are people that have been offering  
11 ideas about the type of assurances that we need to  
12 think about with respect to programming. And we'd  
13 sure like to hear from you tonight what type of  
14 assurances you think you need before you can see  
15 this program going through.

16 You've been reading the alternatives,  
17 reading about the alternatives. What do you think  
18 we should be doing when we get to select the  
19 preferred alternative? Do you have any ideas about  
20 any of the pieces, of the eight different pieces of  
21 the alternatives? We'd sure like to hear that.

22 Last, last overhead. This is what's next.  
23 Obviously, public comments. This is what tonight's  
24 all about. That's why we extended the comment  
25 period to July 1st to hear from the public, to get a

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1 sense of what you think about what we've been doing.  
2 We will respond to every one of these comments in  
3 writing.

4 And that's one of the reasons why we do not  
5 respond during the public hearing process. We want  
6 to take your comments, we want to digest your  
7 comments, and then we're going to respond back to  
8 all of them in writing. To try to do that while you  
9 speak not only takes a lot of time, but we may not  
10 be as responsive as you'd like us to be, because it  
11 comes off the top of the head.

12 We're going to move on and select the draft  
13 preferred alternative by the end of the summer.  
14 That will wind up in a revised draft that we're  
15 going to put out towards the end of the year, I  
16 think about the 1st of December.

17 So you'll have another opportunity to read  
18 the draft document. And this time it'll have a  
19 preferred -- excuse me -- a draft preferred  
20 alternative in it. So you'll get a good sense of  
21 what CALFED is contemplating then.

22 We'll take public comments, and the comment  
23 period will be at least 75 days, and it might be  
24 longer. Seventy-five days, because that's what  
25 this -- the one that we had at this time was, until

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1 it was extended. We'll finalize the preferred  
2 alternative, and we'll put out another final EIS-EIR  
3 -- we'll put out a final EIS-EIR around October of  
4 '99.

5 And following the public comment period of  
6 about 30 days, we'll then bring all those comments  
7 in, and certify the EIS-EIR somewhere around  
8 November of 1999. And then hopefully, if everything  
9 goes right, we'll start implementing the solution.

10 And that concludes my presentation.

11 MR. BODOVITZ: Thanks very much, Rick.  
12 Before explaining quickly the ground rules, I did  
13 want to mention that there are more hearings to  
14 follow. We were in San Jose last night. We'll be  
15 in Yuba City tomorrow night. There are hearings  
16 next week in Stockton and Santa Rosa before this  
17 round of the hearings ends.

18 Let me again mention, for those who may  
19 have come in late, if you wish to speak tonight,  
20 please sign one of these yellow cards on the table  
21 outside. We'll take speakers in the order in which  
22 we get the cards.

23 We ask, as we have in all the hearings thus  
24 far, that every speaker confine his or her remarks  
25 to no more than three minutes. To help you do that,

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1 we have a little traffic light up here. When you  
2 start speaking, the green light will be on. When  
3 the yellow light comes on, you have one minute.  
4 When the red light comes on, there's a traffic  
5 policeman who will come after you, come in -- no.

6 But when the red light comes on, we do ask  
7 that you wind up the sentence, or at least the  
8 thought that you're on, in fairness to the number of  
9 other people who've also asked to speak tonight.

10 Now, all of us understand that three  
11 minutes is not a lot of time. But in many of the  
12 hearings thus far, we've heard people be very  
13 eloquent and succinct in three minutes.

14 All of the comments are being taken down by  
15 a court reporter. And in addition, all of the  
16 hearings are being taped. So the people who will be  
17 making decisions on this program will have access to  
18 everything that's being said.

19 And as you've already heard, we won't try  
20 to interrupt the hearings, in fairness to people who  
21 are coming later, to try to answer questions. But  
22 we will be here, members of the CALFED Bay-Delta  
23 staff will be here, when the formal part is over, to  
24 answer any questions you may have.

25 Finally, I will call three speakers at a

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1 time. So that if you're in the middle of a row, it  
2 will help move us along if you'll kind of get toward  
3 an aisle. There's some chairs that have "reserved"  
4 signs on them, and some of these aren't taken up  
5 here, so that when your name is called, you'll be  
6 ready to go. If all that's clear, why don't we  
7 begin.

8 The first card is John Coelho, second is  
9 Dennis Beebe, third, Jerry Robinson. John Coelho.

10 MR. COELHO: He answered my questions  
11 back there. Thank you.

12 MR. BODOVITZ: Okay. Thank you. Dennis  
13 Beebe, followed by Jerry Robinson, then Eric  
14 Warnken.

15 MR. BEEBE: Good evening. I'm the  
16 manager of the Solano County Mosquito Abatement  
17 District, and I'm here on behalf of the -- not only  
18 the Solano Mosquito Abatement District, but also the  
19 Sacramento, Yolo, San Joaquin, and Contra Costa  
20 Mosquito Abatement Districts.

21 It has come to our attention that in this  
22 project, there is tidal marsh and wetland  
23 restoration proposed. This is very conducive to  
24 mosquito breeding. Mosquitos could have a very  
25 serious impact on the economy and health of the

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1 surrounding Delta areas, and we would like to be  
2 very much involved in the planning stages.

3 There is criteria available for mosquito  
4 prevention for these restoration projects. And at  
5 this point, that's all I have to say. Thank you.

6 MR. BODOVITZ: Thank you, Mr. Beebe.  
7 Jerry Robinson, Eric Warnken, H.T. Whitman.

8 MR. ROBINSON: I'm Jerry Robinson. I'm  
9 a Delta farmer from Stockton, and I wanted to come  
10 up here and try to sit at a different hearing. I  
11 think I was at the Walnut Grove one, also.

12 I think Senator Johannessen hit this right  
13 on on the head. This is never going to end. And I  
14 think the CALFED process is really missing the boat  
15 in not taking some of this money and doing some  
16 major studies to help Southern California become  
17 more self-sufficient in water.

18 This is -- we're just going to just be  
19 balanced on the -- under our backs or over our backs  
20 with Southern California, until there's no more  
21 water. And I think a major portion of this funding  
22 ought to go to help them in desalinization, not only  
23 salt water, but brackish water, better reclamation,  
24 more reclamation, and some storage, more than they  
25 have now.

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1 They have let a lot of water run out in the  
2 last two seasons, winter seasons down there. And we  
3 haven't -- we've mentioned it, but we haven't seen  
4 it really addressed at all.

5 And also, I see -- as a farmer, I see no  
6 water -- real water increases for agriculture out of  
7 this CALFED process. We're going to have  
8 approximately 40 percent more people in the next 25  
9 years. Our per-capita water for agriculture and to  
10 feed people is going to go down.

11 And that's a problem that has to be  
12 addressed. And some in the Farm Bureau have  
13 addressed this, but nobody's really been wanting to  
14 get a hold of the bullet.

15 We're going to lose from 30 to 300,000  
16 acres of land in the Delta area, depending on which  
17 part of the report you read, and which phase. And I  
18 see this as a loss of a rural tax base that we're  
19 very pleased to have down here, and we can't afford  
20 to see it lost. I see a minimal commitment to new  
21 storage. It's mostly taking water away from  
22 agriculture.

23 Another problem that is a big, big problem  
24 to the south half of the Delta has just been  
25 mentioned, but not addressed, because they said they

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1 weren't going to study it, is the San Joaquin Valley  
2 drain. And personally, I'd like to see no more  
3 water shipped south until this drain is in place,  
4 and the problem solved, because it is just killing  
5 us in the southern part of the Delta.

6 I also feel the federal and state projects  
7 have been major causes of the decline of fish. When  
8 both projects came on line, there was some more  
9 severe decline of the fishery.

10 And getting to the alternatives, I wish the  
11 Alternative 2 would get just as good a play and as  
12 good a test in using the interior channels of the  
13 Delta, not the western edge, to try to get rid of  
14 the salt problem that is down at the Tracy pumping  
15 plants. Bring the water through the interior, not  
16 around the edge of the Delta.

17 And lastly, a peripheral canal is a  
18 peripheral canal, no matter what name you call it.  
19 And we in the Delta, and in the Stockton area, are  
20 going to fight this vigorously, and we'll try to  
21 expose this as best we can for what it really is.  
22 It's a way to send water to Southern California, and  
23 the Delta comes secondly.

24 And I feel that if we cannot get  
25 satisfaction with assurances, and the assurance

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1 packages from two people in the BDAC council say is  
2 a mess, they're not going anywhere. And I thank  
3 you.

4 MR. BODOVITZ: Thank you, Mr. Robinson.  
5 Eric Warnken, H.T. Whitman, David Okita.

6 MR. WARNKEN: My name's Eric Warnken.  
7 I'm a local farmer, and a member of Farm Bureau.  
8 Most of my concerns have been voiced by Senator  
9 Johannessen, but I'll reiterate them.

10 My main concern is that if there is a  
11 peripheral canal put in at Hood, the water  
12 downstream of that point is obviously going to  
13 deteriorate. We've had salt intrusions before  
14 without the peripheral canal, and I can only see it  
15 getting worse.

16 And as a solution to this, I see water  
17 being taken from Berryessa, Folsom, Oroville, and  
18 Shasta Dams, and this bothers me a great deal.  
19 Because as we've seen in the past, we have no excess  
20 water.

21 I'm a farmer. You take my money -- I can  
22 make money as long as I have water. You take my  
23 water, I'm broke. And that goes for me, other  
24 farmers, and communities in the valley.

25 LA and the basin around there has long

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1 since used up their water. They've reached out to  
2 the Colorado River, the Owens River, the San Joaquin  
3 River, the Sacramento River. They're reaching water  
4 clear from the Oregon border.

5 All this water flows into the basin. It  
6 doesn't disappear there. A certain amount of it  
7 evaporates. A certain amount goes in the ground.  
8 The rest of it is a major river running into the  
9 ocean as sewage. There is technology available to  
10 reuse this water. I think it should be a fourth  
11 alternative.

12 A fifth alternative, if water needs to be  
13 shipped down there, you should develop new sources.  
14 There is a desire for an Auburn dam. The Eel River  
15 is a vast, untapped source. Let these sources be  
16 used. Let them develop new sources. It shouldn't  
17 be borne on the backs of the local area here.

18 We get nothing in return for this, almost.  
19 The peripheral canal just carries our water away.  
20 Thank you.

21 MR. BODOVITZ: Thank you, Mr. Warnken.  
22 H.T. Whitman, David Okita, and Rick Wood.

23 MR. WHITMAN: I'm H.T. Whitman. CALFED  
24 has its eight program elements, but the big picture  
25 is water; more specifically, the quantity of water

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1 available in the Delta. Page 2 in your little  
2 synopsis here talks of increasing water supply south  
3 of the Delta. On page 9 you talk of increased water  
4 quality south of the Delta.

5 In last week's presentation to the Board of  
6 Supervisors, much lip service was given to  
7 assurances. I feel that all that is really  
8 contained herein is lip service.

9 The Metropolitan Water District raped the  
10 Owens Valley. They sued to break the Colorado River  
11 Allocation Pact, and even now they're negotiating  
12 surface water rights in the Sacramento Valley before  
13 the hearings this fall. They hope to make the  
14 hearings moot.

15 The original peripheral canal was sized at  
16 22,000 cubic feet per second. They had a design  
17 leak which was 8,000 foot per second that was talked  
18 about here to recharge the Delta. That's a net of  
19 14,000 cubic feet to the South.

20 This canal you're talking about in  
21 Alternative 3 actually has a capacity of 15,000  
22 cubic feet per second. It's limited to 10,000 feet  
23 because of the intake bays on the south end. The  
24 canal is sized to 15,000 feet, therefore, and it's  
25 actually bigger than the peripheral canal.

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1 I don't trust MWD. I don't say -- and I  
2 would say no more water to the Metropolitan Water  
3 District, and I don't want to go for Alternative A  
4 if I had to go anywhere. Thank you.

5 MR. BODOVITZ: Thank you, Mr. Whitman.  
6 David Okita, Rick Wood, and Jacqueline McCall.

7 MR. OKITA: Thank you. I'm the manager  
8 of the Solano County Water Agency, and I'm speaking  
9 tonight on behalf of the board of directors of the  
10 agency.

11 Supervisor John Silva, the chair, was to be  
12 here tonight, except due to the holiday next week,  
13 another district board which he sits on scheduled a  
14 meeting tonight, so he was unable to attend.

15 The Solano County Water Agency is a  
16 countywide agency, covers all of Solano County, and  
17 parts of Yolo County. Its board of directors are  
18 quite unique. It includes all five members of the  
19 county board of supervisors, all seven mayors in the  
20 county, and three agricultural irrigation district  
21 representatives.

22 The county includes growing urban areas,  
23 productive farmland, the Suisun Marsh, and parts of  
24 the Delta. We have a very strong interest in  
25 CALFED, and many of our board members have concerns

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1 paralleling those that you've heard tonight.

2 The board feels that it's too early to take  
3 a position on any alternative. We're looking  
4 forward to more information forthcoming with the  
5 revisions to the draft EIR, and also, most  
6 importantly, on the assurances package.

7 As was recommended by Senator Johannessen  
8 and Assemblywoman Thomson, the board has decided to  
9 participate in the process and express our interests  
10 and concerns. And the board supports the CALFED  
11 process to date. They had a briefing of the CALFED  
12 process last Thursday night, and passed a resolution  
13 supporting the process and expressing their  
14 concerns.

15 Our concerns fall in two general areas:  
16 The North Bay Aqueduct, and also agricultural land  
17 conversions due to ecosystem habitat and other  
18 CALFED programs such as levees. Some of the other  
19 speakers tonight will give more detailed  
20 presentations, so I'll speak in general terms.

21 The North Bay Aqueduct serves about 400,000  
22 people in Solano and Napa Counties, and there are  
23 two problems that need to be addressed in the CALFED  
24 process. The first is Delta smelt, and the second  
25 is water quality.

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1 The CALFED program proposes to create  
2 numerous shallow-water habitat locations close to  
3 the North Bay Aqueduct intake. What that will do is  
4 cause more of the endangered species to be present.  
5 And what we would like is some type of resolution of  
6 the impact on the North Bay Aqueduct, some type of  
7 an exemption from the Endangered Species Act, or  
8 safe-harbor provisions. Other speakers will talk  
9 about the water quality.

10 As was identified before, the CALFED  
11 Program plans to have many acres -- many thousands  
12 of acres of ecosystem habitat in Solano County,  
13 including Prospect Island and Liberty Island. And  
14 conversions of such large amounts of agricultural  
15 land will have an impact on the economy in Solano  
16 County and on local governmental agencies.

17 We are looking forward to the mitigation  
18 package and the assurance package to see how CALFED  
19 intends to mitigate those impacts. The water agency  
20 will be submitting more detailed comments at the  
21 close of the comment period, and we appreciate you  
22 coming to Solano County to hear our concerns.

23 MR. BODOVITZ: Thank you, Mr. Okita.  
24 Rick Wood, Jacqueline McCall, Mike Hardesty.

25 (Mr. Wood arranges a slide presentation.)

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1 MR. BODOVITZ: Mr. Wood, if you do that,  
2 you'll have a hard time seeing the light.  
3 MR. WOOD: Just get the hook out.  
4 MR. BODOVITZ: Okay.  
5 MR. WOOD: I want to speak a little bit  
6 about water quality in the North Bay Aqueduct.  
7 Our city, along with the City of Vacaville,  
8 built a joint water treatment plant called the North  
9 Bay Regional Plant. It's a good plant. It was  
10 designed by a very good engineering firm, Montgomery  
11 Watson. It was completed in 1990. It's fairly new.  
12 It's, as I said, jointly owned.  
13 We have an excellent plant staff. We have  
14 nine operators with an average of over 11 years'  
15 experience in water treatment. We have all Grade  
16 5 -- that's the highest state certification -- for  
17 our managers and supervisors. We have a maintenance  
18 staff, and a laboratory staff.  
19 We have two sources of water you can see  
20 here, the North Bay Aqueduct, and the Putah South  
21 Canal. Preozonation, postozonation, six feet of  
22 granular activated carbon in the filters, full  
23 treatment. We add a little bit of chlorine at the  
24 end for residual disinfection.  
25 We can't treat the water from the North Bay

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1 -- two to three to four times that amount of total  
2 organic carbon in the North Bay Aqueduct supply from  
3 the top in the blue. It's very -- highly variable,  
4 and that makes it very difficult to treat the water.  
5 Now, the water chemistry is complicated.  
6 Bromides add to the problem. That comes from salt  
7 water.  
8 We're very concerned that the solution that  
9 CALFED comes up with needs to address the issue of  
10 water quality in the North Bay Aqueduct, both in  
11 terms of total organic carbon and bromides. Because  
12 in combination, they create the problem with the  
13 trihalomethanes.  
14 The solutions: Yes, we can afford to pay.  
15 We don't need unreasonable assurances, but we need a  
16 solution. A new intake, maybe; watershed management  
17 to control the sources of these total organic carbon  
18 and bromides.  
19 We feel that if the south part of the state  
20 gets an isolated facility for water quality, then  
21 the north part of the state, and the people that use  
22 the North Bay Aqueduct, should also have an isolated  
23 facility or something similar.  
24 Thank you.  
25 MR. BODOVITZ: The time is gone,

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1 Aqueduct sometimes. We serve 100,000 people, and we  
2 can't treat the water sometimes. This year we had  
3 to shut down. So we had to switch to the other  
4 source of water.  
5 Let me show you a little bit about the  
6 problem. This is one parameter that we really have  
7 to watch, and that is trihalomethanes. What you see  
8 here in the Putah South Canal, we are treating 100  
9 percent of Putah South Canal with the blue. We're  
10 doing fine.  
11 When we're treating a blend, we start to  
12 have problems. And when we are on the North Bay  
13 Aqueduct, we shoot way up here. When you are  
14 putting 45 or 50 parts -- milligrams per liter of --  
15 that's milligrams per liter of trihalomethanes out  
16 in the system, you've got a big problem. That's  
17 actually micrograms per liter.  
18 Here is really what we're seeing: The  
19 total organic carbon that we're seeing -- and this  
20 is our two sources of water, the Putah South Canal  
21 from Lake Berryessa -- three milligrams per liter of  
22 total organic carbon. That's pretty good water  
23 quality. You can treat that.  
24 What we have -- and this is not unusual;  
25 this is just for this year, but this is not unusual

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1 Mr. Wood. Thanks very much. Jacqueline McCall,  
2 followed by Mike Hardesty, followed by James Knight.  
3 MS. McCALL: Good evening. My name is  
4 Jacqueline McCall. I work for the City of  
5 Vacaville. As a user of the MBA, we're very  
6 concerned about the water quality aspects of the  
7 CALFED alternatives.  
8 The 1996 sanitary survey update report for  
9 the state water project at Barker Slough identified  
10 several water quality concerns that affected the MBA  
11 as a source of drinking water. Those are elevated  
12 levels of TOC, as Rick had explained, trihalomethane  
13 formation potential, pathogen organisms, and  
14 turbidity.  
15 In response to these concerns, Department  
16 of Water Resources put together a work plan for the  
17 Barker Slough watershed. The work plan has two  
18 year-long phases. The first phase is the water  
19 quality monitoring phase, and it began in July of  
20 1996. It initiated sampling at four locations: the  
21 first location at the Barker Slough pumping plant;  
22 at Barker Slough on Cook Road, which is upstream in  
23 the watershed; at Calhoon Cut, and at Lindsey  
24 Slough.  
25 The Phase 1 was designed to determine and

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1 quantify potential water quality problems. It was  
2 successful in explaining some of the causes of poor  
3 water quality experienced by the North Bay Aqueduct  
4 contractors. And the study showed that the quality  
5 of water at Barker Slough pumping plant is more  
6 heavily influenced by local runoff than by Lindsey  
7 Slough.

8 Phase 1 also exhibited distinct seasonal  
9 differences in water quality at all four of the  
10 sampling sites during rain water events. They were  
11 extremely poor water quality.

12 Phase 1 results showed the need to expand  
13 water monitoring to more upstream sites, and to  
14 conduct more sampling during storm events, to  
15 identify geographical sources of pollutants in the  
16 Phase 2 plan. Phase 2 objectives focused primarily  
17 on identifying major contributing factors and  
18 sources of elevated pollutants.

19 The need to develop a comprehensive water  
20 quality management plan for Barker Slough that  
21 included more than reliance on treatment technology  
22 became apparent, since treatment technologies alone  
23 may not be sufficient to protect public health.

24 Barker Slough watershed management plan  
25 involves meeting with stakeholders to exchange

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1 information about the watershed and land uses. It  
2 includes a field reconnaissance survey to gather  
3 information that's needed to determine where future  
4 works such as sediment and nutrient-reducing best  
5 management practices can be implemented.

6 Because the water quality at the North Bay  
7 Aqueduct is among the poorest of all the state water  
8 projects, the North Bay contractors recommend that  
9 CALFED evaluate the feasibility of providing a  
10 second intake for the MBA, to improve drinking water  
11 quality, and to provide operational flexibility, and  
12 that the final EIR evaluate the impact of  
13 alternatives on water quality at the MBA.

14 MR. BODOVITZ: Thank you, Ms. McCall.  
15 Mike Hardesty, James Knight, Richard Abbott.

16 MR. HARDESTY: Good evening. I'm Mike  
17 Hardesty. I'm the manager of Reclamation District  
18 26G8, an agency that also sits on the SWQA board.

19 It's been said here today that the problem  
20 is the Delta. It is a problem not of our own  
21 making. The Delta didn't create the habitat  
22 problem. It didn't create the water quality  
23 problem. It did not create the water reliability  
24 problem in the export areas.

25 What I'd like to say here today with regard

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1 to Delta agriculture, the impacts in the Delta  
2 region are disproportionate to the benefits  
3 received, either by the Delta as a whole, or when  
4 viewed in its totality. The comments earlier  
5 indicated that the programmatic level EIR is not  
6 specific in terms of where the projects are. That  
7 is incorrect in one sense.

8 The programmatic EIR is, in fact, specific  
9 when it delineates regional impacts. And it is  
10 quite clear from that document that the impacts in  
11 the Delta are substantial and, in many cases, unable  
12 to be avoided under the current scenario of the ERP.

13 Principally regarding the issue of land  
14 conversion that David Okita mentioned earlier, up to  
15 199,000 of that 400,000 acres that was previously  
16 identified is in the Delta. That has a tremendous  
17 impact on the regional economies of this area.

18 The other thing, many of those ERP actions  
19 are concentrated on areas not impacted by  
20 subsidence, in other words, not in the deep Delta,  
21 the Central or Western Delta. That concentrates  
22 those impacts on an even smaller Delta region.

23 The effects that we can expect to see from  
24 this program as identified in the EIR include the  
25 direct land and water resource effects for

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1 agricultural production within the Delta area.  
2 Losses to the Delta regional economies include farm  
3 revenues, production opportunities, regional  
4 employment, and reduced farm spending for goods and  
5 services. That has a spillover effect of revenue  
6 losses that will be felt by regional and local  
7 governments such as counties, cities, and special  
8 districts.

9 Land-based property assessments and taxes  
10 are affected. Sales and personal property tax  
11 collection are affected as well. We can expect to  
12 see revenues diminished.

13 However, we can expect to see the  
14 infrastructure maintenance for roads, levees and  
15 water supply to remain in place, and in some cases  
16 actually increase to meet habitat demand, and we'll  
17 see social service demands increase.

18 Additionally, changes in regional land use  
19 patterns can have the effect of altering even the  
20 ability to farm. Habitat stewards have priorities  
21 that are different from the farming community. In  
22 circumstances where created -- in circumstances  
23 where significant land conversion has taken place,  
24 or sensitive habitat created, it makes it difficult,  
25 if not impossible, to continue to farm, to maintain

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1 levees for those flood control facilities, or water  
2 supply facilities.

3 MR. BODOVITZ: Thank you, Mr. Hardesty.  
4 James Knight, Richard Abbott, Stan Lester.

5 MR. KNIGHT: I'm James Knight. I was  
6 born in this county, and lived here all my life, and  
7 I have some things to say about this whole procedure  
8 that we're going through.

9 I'm just wondering if the Cal Delta, which  
10 was going to maximize water delivery to Southern  
11 California, in years of drought, if it will be  
12 expected to maintain these deliveries? I don't  
13 think politicians will withstand the public pressure  
14 to maintain the water deliveries, once CALFED is in  
15 place, and the Delta will be asked to pay the price.

16 We have heard it over and over again:  
17 What's more important, animals or people? And  
18 another way they relate to this is: What's more  
19 important, the wildlife resources of the Delta, or  
20 my green lawn?

21 Here's some questions to ponder: What in  
22 this plan will exert a firm discipline on Southern  
23 Californians to consume water commensurate with  
24 their lack of regional water resources?

25 And another one: Is there an ironclad

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1 contract provision that will enable the impacted  
2 populations of the Bay Area and Delta to halt  
3 delivery in drought years, regardless of the need at  
4 the other end of the canal?

5 Another question: How much Delta water  
6 would be diverted to the Cadillac Desert corporation  
7 farms along the way?

8 And finally: How will this plan discourage  
9 greater population growth in Southern California?  
10 Will it halt immigration into the population centers  
11 already overpopulated?

12 The answer to all of these questions is no.  
13 It's a rather dismal answer. The plan is attractive  
14 for people in this area, and offers scraps to  
15 Northern California, which can be easily forgotten  
16 by the politicians in the decades ahead.

17 Thank you.

18 MR. BODOVITZ: Thank you, Mr. Knight.  
19 Richard Abbott, Stan Lester, Donna Harr.

20 MR. ABBOTT: Rick Abbott of Thor  
21 Petroleum.

22 We've got a technology that has been  
23 around for approximately 20 years, using high-  
24 temperature, high-pressure steam. But they've had  
25 problems with sticky salts getting into the

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1 equipment, and then they can't do anything with it.

2 If we've got the method to get the sticky  
3 salts out of the water, so that we can use any kind  
4 of organic material, and we can produce it into  
5 energy for the -- excuse me. I've had seizure  
6 problems. What is happening? I need to talk.

7 What we want to do is use this technology  
8 to purify water, the sewage water, or we can use it  
9 for sea water, or water from any kind, and we can  
10 generate electricity, and we can do large quantities  
11 of -- from small pieces of equipment. And we can  
12 also use garbage or landfill materials to be used as  
13 a fuel. And the water, when we get done, it's all  
14 purified, potable quality.

15 And my feeling is, don't use our water.  
16 Let Los Angeles and Southern California use their  
17 own sewage water, and their own ocean water for  
18 taking care of their water needs. As I said, we can  
19 generate enough electricity, we would -- and  
20 cheaply, that as a corporation, we would have to --  
21 we would make very good money on -- at a third or a  
22 fourth what the government or the electricity  
23 companies will do now.

24 But that is, with our units, and very  
25 small, we can purify the water, and they don't have

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1 to take our water. There's huge amounts of benefits  
2 there, in not taking the money out of here.

3 Taking the land from the farms, that's some  
4 of the best farm country in the world. And you  
5 could have taken -- that's a lot of economic  
6 problems, if you're taking the water out of here.

7 MR. BODOVITZ: Thank you, Mr. Abbott.  
8 Stan Lester, Donna Harr, Clif Poole.

9 MR. LESTER: Yes. My name is Stan  
10 Lester. I'm representing the Yolo County Farm  
11 Bureau. I will be talking about some areas, and  
12 there will be other speakers from our Farm Bureau  
13 speaking addressing other areas.

14 We believe that both the state and federal  
15 projects in California were out of compliance with  
16 the Endangered Species Act during the drought years.  
17 Therefore, how do you expect other water districts  
18 and agencies and water purveyors throughout the rest  
19 of the state to comply with and/or solve this  
20 problem with the CALFED Delta proposals, where other  
21 areas, including agriculture in California,  
22 particularly the north -- area north of the Delta,  
23 serve at the Owens Valley II for Southern  
24 California?

25 Regarding the water transfer program

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1 proposals, volunteer water transfers are not  
2 appropriate if they result in adverse third-party  
3 impacts at the local level. Retirement of  
4 agricultural land and its conservation to develop  
5 wildlife habitat are not acceptable.

6 We don't see where you have inquired about  
7 any other alternatives other than the agricultural  
8 land retirement proposal. We believe you need to  
9 look at -- further look at federal, state, and local  
10 lands that are available for retirement purposes.  
11 We are very concerned with the third-party impacts  
12 in regards to associated agriculture industries, as  
13 well as the tax base in the affected counties.

14 Additionally, when the CALFED process went  
15 into Phase 1, to Phase 2, there was agreement that  
16 the land retirement program was not going to be  
17 considered for demand reduction. However, we now  
18 notice that this is still being considered.

19 We need to look at a less costly  
20 methodology, and a less destructive means to  
21 accomplish this objective. This plan does not seem  
22 to take into account the local HCP programs that are  
23 being developed at the county levels.

24 In regards to surface storage, CALFED must  
25 provide and incorporate in-stream storage

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1 facilities, and substantially increase in new water.  
2 This is for both the -- north and south of the  
3 Delta.

4 The final EIR-EIS should not provide  
5 specific mitigation actions. Instead, it should  
6 provide strategies and concepts. An example of this  
7 is on page 8.1-30 of the programmatic environmental  
8 impact report statement, Report 8.1, 3-5, Land and  
9 Water Use Mitigation Strategies.

10 In regards to the water quality and  
11 watershed management, in addition to addressing the  
12 salinity and selenium issues, CALFED's water quality  
13 common program addresses pesticide and nonimportant  
14 source pollution issues.

15 The Yolo County Farm Bureau objects to  
16 CALFED's effort to establish and target value-  
17 specific compounds used in protecting our  
18 agricultural products. We think that this should be  
19 under the review, as it is now with the Cal EPA, the  
20 State Water Resources Control Board, that are now  
21 equipped and able to monitor waters for nonpollutant  
22 sources. This is not the venue that CALFED should  
23 be taking place. Thank you very much.

24 MR. BODOVITZ: Thank you, Mr. Lester.  
25 Donna Harr, Clif Poole, Marguerite Kaule (sic). I'm

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1 not sure I'm reading it right. K-a-u-l-e, I think.

2 MS. HARR: Good evening. I'm Donna  
3 Harr, and I'm currently president of the Solano  
4 County Citizens Land Alliance, and I'm also a member  
5 of the board of directors for the Solano County Farm  
6 Bureau.

7 So I'm addressing you on the basis that  
8 private property rights are the basis for all our  
9 rights that we enjoy as American citizens. The  
10 CALFED proposal is the biggest erosion of private  
11 property rights that California has ever seen. In  
12 short, it is a land grab.

13 Within the scope of this proposal, it is  
14 absolutely imperative that the following issues be  
15 addressed: A clear delineation of what is  
16 agricultural land, and what is restoration land.  
17 Fair market value, or compensation, if you will,  
18 must be paid to the property owner based on  
19 realistic value prior to any land becoming  
20 restorative -- restoration land.

21 There must be clear language that  
22 guarantees the right to farm the land that borders  
23 restoration areas. Any buffer zones between ag uses  
24 and restoration uses must come out of the set-aside  
25 restoration areas, not out of agricultural areas.

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1 There must be a clear, concise language that will  
2 allow farming to continue without the fear that  
3 encroachment of any living organism, be it plant or  
4 animal, from the adjoining restored areas would pose  
5 a threat to the continued, sustained agricultural  
6 use.

7 Balance must be paramount in water  
8 allocation. We must balance the need of urban water  
9 consumption with the need to produce quality food  
10 for an increasing population, and maintain our  
11 quality of life while we are doing this.

12 In short, we must be assured that all  
13 feasible avenues will be explored, that all matters  
14 will be weighed to have the least amount of impact  
15 on the ag community. Private property rights must  
16 be preserved.

17 If you are here tonight, and you are lucky  
18 enough to have enjoyed a good dinner, you can thank  
19 a farmer. If you enjoyed a drive past pastoral  
20 fields or orchards, you can thank a farmer. If you  
21 want to maintain the quality of life that we all  
22 enjoy, you can thank the people who are the stewards  
23 of the land, your local farmers.

24 And thank you. And I hope that you will  
25 support your local farmers.

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1 MR. BODOVITZ: Thank you, Ms. Harr.  
2 (Applause)  
3 MR. BODOVITZ: You managed to say a good  
4 deal in three minutes. Clif Poole, Marguerite  
5 Kaule, Blake Harlan.  
6 MR. POOLE: Clif Poole, Solano County.  
7 Southern California's absolutely beautiful. And the  
8 displays that you have out there are absolutely  
9 beautiful, as to how the Delta is going to end up,  
10 and all of the lovely things that are going to  
11 happen.  
12 And then I look and think, well, you know,  
13 the water that currently goes into the Delta, all of  
14 these things can happen without it going to Southern  
15 California, "the excess," as it's termed.  
16 And then I wonder, well, where is the  
17 excess? And I think the senator hit it on the head.  
18 We've had, oh, ten, 12 years of drought around here.  
19 All of us, all cities, areas fighting to get water  
20 ourselves. Where is the excess? Because I've  
21 always understood, under water law, the only way you  
22 can move it is when it is excess.  
23 I look at the EIR process, and I haven't  
24 read through it. You've got probably thousands of  
25 pages. And I'll never get through all of it, and I

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1 money at it. Throw a little bit over to the water  
2 agency. Fix their filtration plant. Throw a little  
3 to the City of Vacaville when they complain. Buy  
4 the support in order to send water to the south.  
5 This has nothing to do with the Delta.  
6 That's peripheral benefits. Thank you.  
7 MR. BODOVITZ: Thank you, Mr. Poole.  
8 Marguerite Kaule. I'm sorry, it's just hard to  
9 read. And Blake Harlan, Richard Durrenberg.  
10 MS. KAUBLE: That's okay. My name is  
11 Marguerite Kauble. I'm from Contra Costa County.  
12 I'm a private property owner. I'm not a farmer.  
13 But all of our ancestors came here to America for  
14 the American dream of private property ownership.  
15 Bruce Babbitt has gone down to Austin,  
16 Texas and took 33,000 acres, which has been  
17 escalated now up to 100,000 acres, for their  
18 golden-cheeked warbler. All over America they're  
19 taking land for preserves, and for animals, and  
20 bugs, and bees, and everything else, and they are  
21 not considering what they are going to do with the  
22 people.  
23 I think there is a long-term plan here to  
24 move us out of the areas, and to take the property  
25 away from us. This is a land grab. Our water is

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1 wouldn't understand half of it if I did.  
2 But I see one part that may be missing.  
3 What's the impact if you move this water to Southern  
4 California? Where is the EIR to tell the people of  
5 Southern California what the growth impact is going  
6 to be upon them?  
7 You know, normally around here, if we move  
8 water around anywhere, there is an EIR required to  
9 -- devoted strictly for what that impact is going to  
10 be, the growth issues of that water. And all of a  
11 sudden, I find that that's missing for Southern  
12 California.  
13 Now, obviously, people would like to grow.  
14 They're beautiful. They do have a little smog, a  
15 little overcrowding, the majority of the votes. And  
16 if you ship more water down there, they'll get more  
17 votes. And this can go on and on.  
18 As somebody earlier said, a peripheral  
19 canal by any name is still a peripheral canal. You  
20 can change the name, but that's basically what it's  
21 called.  
22 What I am seeing here is an effort by  
23 CALFED, the federal, or state, or whoever, to buy  
24 support. The peripheral canal didn't get approved  
25 the first time around. This time around, throw more

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1 still going on the South. Southern California  
2 already get the Colorado water, and that water also  
3 goes to Mexico. We don't get compensated for that.  
4 We're being told that now we have to take  
5 our -- their boats and cars away from the lakes  
6 because of the MTBE in the water. The MTBE, to my  
7 knowledge, can't be taken out of the water, yet this  
8 is a byproduct that they could get rid of. We don't  
9 need to have this in the water, because it's water  
10 soluble. It doesn't break down.  
11 So they don't have any solutions for us.  
12 As we get sicker and sicker, and we have less water  
13 and less farmland, it means less food on the table,  
14 less groceries.  
15 A week or so ago, we seen all over the  
16 front page of our newspapers and television about  
17 the bad food coming into our country, with bacteria,  
18 and pesticides, and everything else. And now  
19 they're going to say that they're going to ban this  
20 food coming into the country. Less food, less  
21 water.  
22 I'm not willing to give up the land for  
23 Bruce Babbitt, Al Gore, or anybody else. This is my  
24 land, my America. I have as much control in this  
25 country as anybody else. Government is supposed to

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1 be serving the people, not the other way around.

2 We're a constitutional republic. America  
3 is a constitutional republic where 99 percent of the  
4 population doesn't control the other 1 percent. A  
5 democracy is 51 percent that control the other 49.

6 People, get your constitutions out, and  
7 start reading what this says. Our forefathers had a  
8 plan not to have the land taken away from us, our  
9 guns, our children, or anything else. I'm not  
10 willing to let the Delta be taken away for any of  
11 these programs. Thank you.

12 MR. BODOVITZ: Thank you, Ms. Kauble.  
13 Blake Harlan, Richard Durrenberg, Donna Mast.

14 MR. HARLAN: Good evening. My name is  
15 Blake Harlan. I'm president of the Yolo County Farm  
16 Bureau, and I'm one of the contingent from Yolo  
17 County here today, and I'd like to talk to you about  
18 water use efficiency on the farm.

19 As to the irrigation practices that we  
20 practice, in response to many claims that we farmers  
21 waste water, I'd like to tell you up front that  
22 we're using water very wisely. And if the State is  
23 to satisfy the needs of all of those participating  
24 throughout the state, environmental, urban, and the  
25 farmers, we need to develop extra water storage,

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1 both in-stream and off-stream.

2 My irrigation practices are not unlike  
3 other farmers in Yolo County. I farm roughly 4,000  
4 acres of tomatoes, alfalfa, corn, and wheat. All of  
5 the ground that I farm is leveled to very close  
6 tolerances. That makes it very easy to manage the  
7 flood and sprinkler irrigation practices that I use.

8 The water sources that I use are Clear  
9 Lake, and Indian Valley surface water sources. This  
10 serves most of Yolo County. The parts of the county  
11 that are not served by these two use groundwater.  
12 So those two components of surface and groundwater  
13 make up the majority of the water use in Yolo  
14 County.

15 Our surface water is not perfect, by any  
16 means. It's limited, and it's very dependent on the  
17 annual rainfall that we receive in Lake County. So  
18 we've been faced with an imperfect water supply for  
19 many years, and we've learned to live within those  
20 means, and use the groundwater when we don't -- do  
21 not have the surface waters.

22 I have five tailwater management systems  
23 constructed on the ground that I farm, and I have  
24 the ability to recycle about 60 percent of the water  
25 that I use. The other 40 percent that I am not able

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1 to recycle myself is passed on through the system  
2 and picked up by my neighboring farmers, not --  
3 maybe lost by myself, but used within the irrigation  
4 district we've set up in Yolo County.

5 I've continually releveled fields to make  
6 sure that they're level, and allowing myself very  
7 close control of irrigation water. I maintain many  
8 miles of buried pipe in order to move water very  
9 efficiently, with minimal loss, for my own benefit.

10 And in regards to the water that we do use,  
11 there are many opponents that claim that we are  
12 wasting way too much water, or that perhaps if  
13 California could convert to drip irrigation, that we  
14 would solve many problems. And maybe people also  
15 say that the water we are wasting can be used much  
16 more efficiently, perhaps in urban areas.

17 Well, let me tell you that we do use drip  
18 irrigation. It has -- serves very good purpose in  
19 many crops. It is not cost effective in many  
20 others. It is used, and it's not cost effective for  
21 everything.

22 So thank you very much.

23 MR. BODOVITZ: Thank you very much,  
24 Mr. Harlan. Richard Durrenberg, Donna Mast, Paul  
25 Lum.

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1 MR. DURRENBERG: I'm Rick Durrenberg. I  
2 come to you tonight as a fisherman and outdoorsman.  
3 But I'm also educated and, like yourself, I'm a  
4 bureaucrat, and I recognize bureaucratic double-  
5 speak when I see it. I recognize bureaucratic lies  
6 when I see it. And I got to tell you, I do not  
7 believe a word of this.

8 South's already taken water by the  
9 aqueduct. We know that. I asked the gentleman  
10 outside, "Are they going to take more?" Well, I got  
11 a little talk-around, talk-around. He never  
12 actually said whether they was going to take more.  
13 I said, "Is the salinity going to increase in the  
14 Delta?"

15 "Oh, well, yeah, you got to  
16 remember, though, that you know, there is  
17 only two years of drought over the last  
18 100 years, and that was the only years  
19 that crept up. But it's overall better  
20 today."

21 If it's better today, why didn't they build  
22 the salinity control gates over in Grizzly Island?  
23 The California Aqueduct has already taken away fresh  
24 water that's flushing out the Delta, and it's  
25 already increased the salinity in the Delta. Now

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1 you're going to take more water out of the Delta,  
 2 and it's going to increase the salinity even more.  
 3 I asked about dams, and watershed  
 4 management upstream. Well, yes, there are going to  
 5 be some dams. The National Marine Fisheries is here  
 6 tonight. You know what dams are going to do. The  
 7 dams are going to block off the free-flowing  
 8 streams, and they're going to cut down on the salmon  
 9 spawning.  
 10 The question then is why. Why are you  
 11 going to do this? You put the signs up in the  
 12 front, in the beginning of all your presentations,  
 13 that you're doing this for conservation. But  
 14 conservation as a reason for this is so ridiculous,  
 15 we've got to discard it.  
 16 What Northern Californian in his right mind  
 17 would vote in favor of this? The answer is none.  
 18 So who's driving this? It's got to be Southern  
 19 California. They are the prime benefactors of this  
 20 whole operation.  
 21 Who is paying for this? Well, it's  
 22 probably going to come out of our backs, but the  
 23 front money is probably coming from Southern  
 24 California. Someone has to start this off.  
 25 The only possible logical reason for this

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1 agricultural state, and with thousands of acres  
 2 being gobbled up by development, we need all the ag  
 3 land we have for production of food, fiber, and  
 4 flowers. The belief that any water conserved by  
 5 retiring or converting ag land is a false  
 6 assumption.  
 7 Land retirement will not reduce conflicts,  
 8 because demands, both because -- for the increase in  
 9 population, and for habitat and environmental uses.  
 10 On California's water delivery and storage system,  
 11 the demands will continue to increase capacity --  
 12 exceed capacity, excuse me.  
 13 With the millions of new residents proposed  
 14 to be in California within the next 25 years, it  
 15 only makes sense to preserve farmland to produce  
 16 food for these people. It is clear to me that  
 17 agricultural land should remain agricultural land  
 18 for the benefit of all California, both for the  
 19 aesthetic value, and for the monetary value that  
 20 agriculture provides to the balance of the economy.  
 21 I agree with Senator Johannessen. Before  
 22 you start to talk about retiring ag land, let's talk  
 23 about some storage. Thank you.  
 24 MR. BODOVITZ: Thank you, Ms. Mast.  
 25 (Brief pause.)

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1 is to increase development in Southern California.  
 2 We all know who's going to benefit from that, and  
 3 it's not going to be us.  
 4 This is theft. This is a bureaucratic lie,  
 5 but nevertheless, it's a lie. And now I'm just  
 6 going to have to just devote my next 25 to 30 years  
 7 to trying to defeat this.  
 8 MR. BODOVITZ: Thank you, sir. Donna  
 9 Mast, Paul Lum, and James Campbell.  
 10 If any of you who've come in late wish  
 11 to speak, remember you need to fill out one of these  
 12 yellow cards on the table at the back.  
 13 Ms. Mast.  
 14 MS. MAST: Good evening. Donna Mast.  
 15 I'm immediate past president of Yolo County Farm  
 16 Bureau, and a fifth-generation farmer in Western  
 17 Yolo County.  
 18 We do not believe that converting or  
 19 retiring agriculture land is a feasible solution for  
 20 any part of the CALFED Program, especially when  
 21 "most" has not even been quantified. Nor do I  
 22 believe that ag land or ag water should be retired  
 23 or converted for habitat uses. Land must remain in  
 24 private ownership for the tax rolls.  
 25 California, as you know, is a premier

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1 Let's take a couple of more speakers, and  
 2 then we're going to let our court reporter have a  
 3 break. So Paul Lum, and James Campbell. And  
 4 Mr. Medvitz, you'll be the first after a ten-minute  
 5 break. I'm sorry, but we want her to be able to get  
 6 down everything you say. So let's give her a break  
 7 in a couple of minutes.  
 8 So Mr. Lum.  
 9 MR. LUM: Yes. My name is Paul Lum. I  
 10 farm here in Solano County, and I'm also here  
 11 representing the Water Committee of the Solano  
 12 County Farm Bureau.  
 13 I want to address tonight four issues  
 14 related to CALFED: the issue of ag land conversion  
 15 from farmland, farm production, to habitat  
 16 restoration and storage. We haven't seen a lot of  
 17 figures or studies, but we know there would be  
 18 economic impacts. Some could be devastating,  
 19 especially to some of the small farming communities  
 20 in the Delta.  
 21 Certainly, there would be job loss, a  
 22 decrease in demand for ag supplies affecting ag  
 23 businesses. And certainly with ag land going out of  
 24 production, there would be much smaller revenues to  
 25 counties on the tax rolls, tax revenues to

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1 maintenance districts and irrigation districts.

2 We strongly support development of new  
3 water storage. That would include construction of  
4 new surface storage. We would like CALFED to keep  
5 in mind that water demands are projected to  
6 increase, not decrease, regarding any of the three  
7 alternatives, or any CALFED proposal. With a  
8 growing population, water demands will increase for  
9 environmental concerns, including fish, habitat  
10 restoration. Water demands will increase to improve  
11 water quality.

12 We also support urban water conservation.  
13 We would like the urban community to meet the  
14 farmers' challenge in our conservation efforts.  
15 Some of that was voiced previously. Farmers are  
16 laser-leveling their land, putting in tailwater  
17 return systems, irrigating with sprinklers, and with  
18 drip. So we feel we have carried the ball on our  
19 side with water conservation.

20 We require assurances to agriculture that  
21 farmers can continue to farm, grow crops and  
22 livestock successfully. These assurances we would  
23 require to be solid, tangible, and well-defined.

24 Some of the assurances affecting existing  
25 water rights, we require them be strengthened, not

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1 weakened; area-of-origin water rights to be  
2 strengthened, not weakened; property rights to be  
3 strengthened, not weakened. We would like to see  
4 well-defined boundaries between farmland and habitat  
5 restoration areas.

6 On a personal note, my family's been in the  
7 farming business for 45 years. My father moved from  
8 one county 37 years ago to Solano County, when  
9 irrigation water was developed and available from  
10 Lake Berryessa.

11 A vision was held back then to develop  
12 water supplies for growing farms and growing cities.  
13 Agriculture held a confident view of the future back  
14 then. And it's disappointing now, 40 years later,  
15 that a confident view of the future is difficult to  
16 come by.

17 MR. BODOVITZ: Thank you, Mr. Lum.  
18 James Campbell.

19 MR. CAMPBELL: James Campbell. My  
20 understanding of the CALFED process, when it began,  
21 was to improve the water quality in the Delta  
22 region, and that all users in the Delta region were  
23 going to take care of that burden equally.

24 From this document, I see that a majority  
25 of the burden is fallen on ag, which I think is

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1 beyond the scope of what CALFED started out with.  
2 The primary objective was that all users were going  
3 to take care of that water quality.

4 Second thing, whether this is a  
5 programmatic EIR, or a detailed EIR, it has to be  
6 clear and concise, so that the general public can  
7 understand it when they read it. This fails in it.

8 In identifying the impacts in the ag  
9 sections there, it has one sentence that identifies  
10 the impact, and then it has three or four or six  
11 sentences that say that that impact might not happen  
12 because of these other things that might happen.  
13 But those other things that might happen are -- only  
14 can work on an isolated case, and not on a general  
15 case. And that's where that fails, where you can't  
16 be -- clearly understand what that impact will be.

17 The second thing is, or the third thing,  
18 that if no new undeveloped water is provided for the  
19 Delta, the only alternative that's going to work is  
20 No. 1.

21 MR. BODOVITZ: Thank you, Mr. Campbell.  
22 We'll now take a short break. We'll resume at 20  
23 minutes to 9:00 sharp.

24 (A recess was taken.)

25 MR. BODOVITZ: If everyone will come

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1 back, we will begin in a minute or two.

2 Once again, if everyone who wishes to speak  
3 will come back, and everyone who are in the audience  
4 will take your seats, we'll resume.

5 The next speakers are Al Medvitz, Gordon  
6 Keiser, Joseph R. Martinez.

7 Would all of you please not conduct  
8 conversations in the room. If you wish to speak,  
9 please go outside, so we can pay attention to those  
10 who are going to speak.

11 Mr. Medvitz.

12 MR. MEDVITZ: Yes. My name is Al  
13 Medvitz. I'm District 11 Director for California  
14 Farm Bureau Federation, and also a co-chairman of  
15 the Land Use Committee of Solano County. And I'm  
16 going to mention some things, I think, that haven't  
17 been addressed, at least in this forum.

18 First of all, as a programmatic EIR,  
19 certainly an important part of the program will be  
20 impacts on Lake Berryessa and Monticello Dam water,  
21 and what happens to that, and Putah Creek. And I  
22 think that's entirely missing from this programmatic  
23 EIR. That needs to be addressed.

24 The other issue is the mitigation of ag  
25 land laws. I've just been reading the Department of

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1 Water Resources, California Water Update Bulletin  
2 160-98, and note that we are approaching a landmark  
3 period in California agriculture, because for the  
4 first time we are projected a loss of irrigated  
5 cropland in our history of about 300,000 acres.  
6 This is under best conditions.

7 This is a dramatic change in California  
8 agriculture. The implications are, of course, is  
9 the necessity to mitigate any ag land losses for  
10 whatever reasons, water, habitat or whatever. So  
11 that the EIR needs to take into account where that  
12 mitigation is going to take place.

13 So that productive agricultural land that  
14 is taken out of production, irrigated land  
15 particularly, there will be a mechanism for  
16 installing new irrigation in nearby areas so that  
17 the agriculture can continue, and the economic  
18 losses, which will be substantial, certainly in the  
19 CALFED era, will be reduced.

20 There is another issue, which is that some  
21 of the agencies are apparently getting a leapfrog on  
22 the plan with Prospect Island, and we're talking  
23 about Liberty Island. As far as I know, the  
24 implementation of the plan, the program has not  
25 started yet.

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1 This must stop. There is no EIR. There  
2 has been no environmental impact statements that I  
3 know of reviewing the economic implications and the  
4 agricultural impacts of those jump-starts.

5 Finally, I'd like to remind this panel, and  
6 everyone else, that we're talking in terms of Solano  
7 County, a total -- the total agricultural production  
8 of the lands in the Delta, the 60,000 acres of ag  
9 land, is in the neighborhood of 100 million to \$250  
10 million a year, in that range.

11 If we take out one- sixth of that, 10,000  
12 acres, we will have a total impact, including the  
13 multiplier, of somewhere between 14 and \$40 million.  
14 Those need to be made more clear, even in a  
15 programmatic EIR.

16 MR. BODOVITZ: Thank you, sir. Gordon  
17 Keiser, Joseph Martinez, Mark Coglianese -- Marci  
18 Coglianese.

19 MR. KEISER: Since this is portable, if  
20 you don't mind, I'd just as soon address the public,  
21 as these people also.

22 I don't know the answers to all of these  
23 questions, and I don't know even enough about it to  
24 ask good questions. But as the owner of an Internet  
25 company, I do know how to use technology to

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1 communication opinions. I do know that, given the  
2 proper information, the public will tend to make  
3 sense of all of this, and will put the pressure  
4 where it needs to go.

5 As an Internet service provider, we are  
6 opening an additional channel of communication to  
7 allow the public, and all of the other pieces of the  
8 puzzle, the opportunity to put their information on  
9 the Internet.

10 CALFED already has an Internet site. But  
11 it's important that a lot of the other agencies who  
12 may not have access, or have sites, have their  
13 opinions available. And it is important that the  
14 public have a way of expressing their opinions and  
15 making this available on the Internet.

16 So we have designed the site so that anyone  
17 with a connection to the Internet can post their  
18 information, without knowing anything about how to  
19 design a Web site, or anything of that nature. All  
20 they need to do is type on their keyboard, and post  
21 that information there.

22 If you've got a pencil, if you've got an  
23 interest in this, I'd like to give you that address.  
24 The address to the site is WWW.CONL, for Community  
25 Online, C-O-N-L, .NET/CALFED. Thanks.

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1 MR. BODOVITZ: Thanks, Mr. Keiser.  
2 Joseph Martinez, Marci Coglianese, Dominic DeBellis.

3 Those are the last cards I have. So this  
4 is the last call for the yellow cards to sign up to  
5 speak. If you wish to speak, please fill out one of  
6 these cards now.

7 Mr. Martinez.

8 MR. MARTINEZ: Thank you for the  
9 opportunity to share some of my thoughts with you.

10 I think as a matter of public policy in  
11 this country, we have to come up with the idea that  
12 when any agency, state, federal, or governmental  
13 entity takes fee title to property, that they need  
14 to continue to pay the property tax on it, just as  
15 any other citizen that buys property has to.

16 The impact on essential county services,  
17 when we take this amount of land and take it off the  
18 property tax rolls, plus the economic impact of  
19 parking the agricultural industry in this portion of  
20 the county on that land, is going to have severe  
21 effects on the county, as has been alluded to.

22 The other thing that we really need to look  
23 at, if we really want to do something to keep the  
24 Delta from dying -- and admittedly it is -- then  
25 what we need to do is release water at the north end

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1 of the Delta, let it flush through the Delta, have a  
2 flushing effect, and take that water out to the bay.

3 The problem is that that's going to  
4 increase the cost of water treatment to get water to  
5 a drinking-level acceptance to be sent down to  
6 Southern California. So are we really talking about  
7 the cost of the peripheral canal, or are we really  
8 talking about providing low-cost drinking water for  
9 Southern California? I think the answer is pretty  
10 obvious.

11 The other situation that we're having with  
12 the proposals that I see, especially with  
13 Alternative 3, is water conveyance, taking water  
14 from the northern parts of the state, and  
15 transferring it to the southern parts. Already some  
16 counties, for example, Tehama County, has an  
17 ordinance in place to prevent groundwater from being  
18 pumped and being sent down and exported.

19 However, you take surface water, and export  
20 that water, it's going to put more pressure on the  
21 groundwater sources, and we are going to continue to  
22 have overdrafts of groundwater as we try to make up  
23 for the loss of surface water being sent to the  
24 other parts of this state by pumping the  
25 groundwater.

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1 by CALFED; that the -- it would directly affect land  
2 and water resources used for agricultural production  
3 within the Delta, and that there would be  
4 substantial losses to farm revenues, regional  
5 economics, and employment.

6 But surprisingly, the same report concludes  
7 that none of these impacts would be significant,  
8 even though there would be substantial adverse  
9 effects from agricultural land diversion in many  
10 areas. And because the report does not identify  
11 these effects as significant, the mitigation  
12 strategies that are proposed seem to be very  
13 half-hearted and incomplete. They certainly don't  
14 deal with issues that we would face in Rio Vista if  
15 large acreages were taken out of production.

16 I think perhaps the impacts on the small  
17 Delta communities is somewhat masked by how the  
18 Delta is defined in the report, to include portions  
19 of Sacramento, and Stockton, and West Sacramento,  
20 far larger cities whose economies are much more  
21 diversified. Therefore, I think without focusing in  
22 on the heart of the Delta, if you will, your  
23 document is inadequate.

24 And in fact, given the dependence of the  
25 small communities on agriculture, if this plan were

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1 I think we really need to look at this, and  
2 I think the urban and rural areas really need to be  
3 made aware of these true situations. I thank you  
4 for your attention.

5 MR. BODOVITZ: Thank you, Mr. Martinez.  
6 Marci Coglianese. I hope I'm not mispronouncing  
7 that too badly.

8 MS. COGLIANESE: Good evening. My name  
9 is Marci Coglianese, and I'm a member of the Rio  
10 Vista City Council.

11 Rio Vista is the largest of the small  
12 cities along the Sacramento River in what we call  
13 the Delta. And its economy is largely based on  
14 agriculture.

15 For example, our largest sales tax  
16 generators are ag dealers selling tractors, and  
17 cars, and trucks to agricultural people in the  
18 community. And sales tax is a very large part of  
19 our budget that funds our services. So of course,  
20 we are wondering what CALFED means for Rio Vista.

21 So I turn to your technical report on  
22 regional economics to try to get some answers. And  
23 the report frankly admits that the Delta region  
24 would experience the greatest relative effects under  
25 all the alternatives of all the other areas affected

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1 implemented, we'd really also need to implement a  
2 martial plan for the Delta, because impacts would be  
3 so devastating. I think what we've identified are  
4 plenty of third-party redirected impacts, in your  
5 lingo, and you have not provided adequate  
6 mitigation.

7 Some things you may want to consider are  
8 programs treating us like a disaster area -- because  
9 I think that's what we might end up becoming -- and  
10 providing for low-cost loans and grants, and things  
11 to help us pick up our economies. Maybe treat us as  
12 a closed army or navy base, and pour some federal  
13 money in.

14 Thank you.

15 MR. BODOVITZ: Thank you very much.  
16 Dominic DeBellis.

17 MR. DeBELLIS: Good evening. My name is  
18 Dominic DeBellis. I'm a teacher and citizen  
19 resident here in Solano County, and I also happen to  
20 be a candidate for State Senate from this district.  
21 So I have some concerns. One of them I'd like to  
22 take a minute here to express.

23 Whatever plan you devise, whatever  
24 configuration you follow through on, I hope that you  
25 take in mind that this is a flood plane, this

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1 valley, and that you address some serious health and  
2 welfare and safety matters. Because it doesn't  
3 matter whether this takes ag land out of work, and  
4 opens it up for development, housing development, or  
5 keeps the ag land. Whatever you do, this is a  
6 serious problem.  
7 And El Nino has done us a service. El  
8 Nino's been like a surgeon using a dye test.  
9 Because he puts that dye out there to see what the  
10 affected areas are.  
11 And El Nino has highlighted every cancerous  
12 spot that we have in our system. Whether it's the  
13 Oroville Dam, which people have been talking to you  
14 about, whether it's the levee situations in Sutter  
15 County and other places, whether it's the raising of  
16 the beds because of continued habitat and increased  
17 growth, which makes certain areas more subject to  
18 flooding, I don't care how you want to address it,  
19 which problem you want to address, El Nino has put  
20 it all in front of us.  
21 And I hope that whatever you do, that you  
22 take that into consideration before you send any  
23 water anywhere. Thank you.  
24 MR. BODOVITZ: Thank you, Mr. DeBellis.  
25 That's the last speaker who has signed up.

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1 Thank you all for coming. We've had an  
2 interesting evening. We've learned a lot. Thank  
3 you very much.  
4 (Hearing adjourned at 8:55 p.m.)  
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2 COUNTY OF SOLANO ) ss.  
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6 Shorthand Reporter for the State of California,  
7 hereby certify that:  
8 On the 19th day of May, 1998, at the  
9 time indicated in the foregoing transcript of  
10 hearing, I recorded by means of shorthand notes the  
11 said CALFED Bay-Delta Program hearing; that I  
12 thereafter transcribed my shorthand notes of such  
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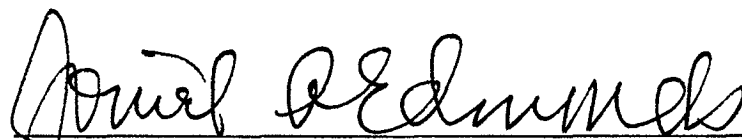
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